person in possession thereof has been so notified.

The quarantine and regulations designate as regulated areas those portions of quarantined States in which citrus blackfly has been found or in which there is reason to believe that citrus blackfly is present, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities. Regulated areas are divided into suppressive areas and generally infested areas. Suppressive areas are regulated areas where eradication of the citrus blackfly is undertaken as an objective. Generally infested areas are regulated areas not designated as suppressive areas.

The following areas in Florida and Texas are currently designated as regulated areas, and as suppressive areas or generally infested areas because of the citrus blackfly:

Florida

(1) *Generally infested area.*

Broward County. That portion of the county bounded by a line beginning at a point where the Palm Beach-Broward County line intersects the Atlantic Ocean, thence west along the county line to Levee L-36, thence south along said Levee to its intersection with Levee L–35A, thence southwest along Levee L–35A to its intersection with State Highway 84, thence west along State Highway 84 to State Highway 25 (U.S. 27), thence south along State Highway 25 to the Dade-Broward County line, thence east along said county line to the Atlantic Ocean, thence north along the Atlantic coastline to the point of beginning.

Dade County. That portion of the county bounded by a line beginning at a point where the Broward-Dade County line intersects the Atlantic Ocean, and thence west along said county line to State Highway 25 (U.S. 27), thence south and southwest along said highway to its intersection with State Highway 25A, thence east along Highway 25A to its end, thence continuing east along an imaginary line extending from the end of Highway 25A to the Atlantic Ocean, thence north along the Atlantic coastline to the point of beginning.

Palm Beach County. That portion of the county bounded by a line beginning at a point where the north line of T. 44 S. intersects the Atlantic Ocean, thence west along said line to its intersection with State Road 80 (U.S. 98), thence west along State Road 80 to its intersection with Levee L–40, thence south along Levee L–40 around the Loxahatcheee National Wildlife Refuge to its intersection with Levee L–39, thence south along Levee L–39 to its intersection witht the Palm Beach-Broward County Line, thence east along said county line to the Atlantic Ocean, thence north along the Atlantic coastline to the point of beginning.

(2) *Suppressive area.* None

Texas

(1) *Generally infested area.* None

(2) *Suppressive area.*

Cameron County. The entire County.

Hidalgo County. The entire County.

In addition to Florida and Texas, citrus crops are grown commercially and noncommercially in Arizona, California, Hawaii, Louisiana, and are also grown noncommercially in several other parts of the United States. The quarantine and regulations were designed to prevent the spread of the citrus blackfly from infested areas in Florida and Texas to other citrus producing areas in the United States, and thereby to prevent economic damage to citrus crops. However, because of the effectiveness and availability of parasites of citrus blackfly (the wasplike insects *Amitus hesperidum* and *Prospaltella* opulenta), it appears that the quarantine and regulations are no longer economically justified for the purpose of preventing economic damage to citrus crops in noninfested States and should be removed.

The citrus blackfly does not cause economic damage to citrus crops unless population levels are high. The parasites, which do not adversely affect the environment, feed on the citrus blackfly and reduce the citrus blackfly population sufficiently to eliminate any significant damage to citrus crops. The parasites have been released and established in citrus blackfly infested areas in Florida and Texas and in Mexico, and have proven to be effective to prevent economic damage to citrus crops in those places. Further, based on Departmental expertise and field experience in Florida, Texas, and Mexico, it has been determined that the parasites would also be effective for eliminating economic damage to citrus crops in any other citrus producing areas in the United States.

Under the current Federal quarantine and regulations, the U.S. Department of Agriculture is responsible for enforcement activities relating to the interstate movement of regulated articles from regulated areas. The States are responsible for enforcement activities relating to the intrastate movement of regulated articles from regulated areas. The Department has been advised by officials of Florida that because of the parasites it is no longer necessary to impose intrastate restrictions on the movement of regulated articles. Also, the Department has been advised by officials of Florida and Texas that because of the parasites, action to remove intrastate restrictions on movement of regulated articles is being considered.

Based on information compiled by the Department, it is estimated that the cost for effectively administering such Federal and State enforcement activities would be at least $4 million annually. The Federal cost would be at least $2 million annually; however, no funds have been appropriated for this purpose for fiscal year 1982. If the citrus blackfly were to spread to noninfested citrus producing areas, it would be necessary to establish a parasite program in such areas. Parasites are available for this purpose. Parasite colonies are presently being reared by laboratories in Florida, Texas, and Mexico. In addition, parasites can be field collected from areas in Florida, Texas, and Mexico where they have become established. Parasites from these sources could be made available at relatively low cost; however, should it become necessary to establish a parasite rearing and release program in a State-wide basis, it is estimated that this could be accomplished by a State or political subdivision thereof at the cost of approximately $100,000 per year for the period of operation. Further, once parasites become established, the parasite program could be discontinued since the parasites are self-perpetuating.

Under the circumstances referred to above, it appears that it is no longer necessary or feasible to continue a Federal citrus blackfly quarantine program.

Accordingly, it is proposed to remove "Subpart-Citrus Blackfly" (7 CFR 301.86 through 301.86–10).

(Secs. 8 and 9, 37 Stat. 318, as amended (7 U.S.C. 161, 162); sections 105 and 106, 71 Stat. 32, 71 Stat. 33 (7 U.S.C. 150dd, 150ee); 37 FR 28464, 28477, as amended; 45 Fr 8564, 8565)

Done at Washington, D.C. this 12th day of August 1981.

Willian F. Helms,

Acting Deputy Adiminstrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service.

[FR Doc. 81-23801 Filed 8-14-81; 8:45 am]

BILLING CODE 3410-34-M

Commodity Credit Corporation

7 CFR Part 1446

[Amd. 3]

General Regulations Governing 1979 and Subsequent Crops Peanut Warehouse Storage Loans and Handler Operations

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed regulation would change the sales policy for additional peanuts sold for domestic edible use. It also proposes the the southwestern Peanut Growers Association (SWPGA), with the prior agreement of the producer, may deduct up to $1 per ton from price support advances to conduct peanut activities outside the price support program. The proposed rule further provides that under certain circumstances, the Executive Vice President, Commodity Credit Corporation (CCC) or his designee, may waive or reduce the liquidated damages assessed against a person who causes ineligible peanuts to be placed in the loan program. This proposed rule also provides that producers who file erroneous reports of crop acerage will be ineligible for quota price support, except under certain conditions.

DATE: Written comments must be received on or before September 3, 1981.

ADDRESS: Send comments to Director, Price Support and Loan Division, ASCS, U.S. Department of Agriculture, Room 3741-South building, P.O. Box 2415, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT: David Kincannon, price Support and Loan Division, ASCS, USDA, 3758-South Building, P.O. Box 2415, Washington, D.C. 20013, (202) 447-6733. The Draft Impact Analysis describing the options considered in developing this proposed rule and the impact of implementing each opinion is available upon request from David Kincannon.

SUPPLEMENTARY INFORMATION: This proposed action has been reviewed under USDA procedures for implementing Executive Order 12291 and Secretary's Memorandum 1521-1. This rule will not result in: (1) an annual effect on the economy of $100 million or more, (2) a major increase in costs or prices for consumers, industries, Federal, State or local governments, or geographical region, or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. Therefore, the rule has been classified as "Not major."

Harold L. Jamison, Acting Director, Price Support and Loan Division, Agricultural Stabilization and Conservation Service (ASCS), has determined that an emergency situation exists which warrants publication of this proposed rule with less than a 60-day comment period. Peanut harvest will begin in late July. Producers and others need to know rules governing compliance with program requirements and the penalties applicable to persons causing ineligible peanuts to be placed in the loan program. It has been determined after review of these regulations (7 CFR 1446.8 through 1446.14) for need, currency, clarity and effectivneness that no additional changes be made.

The title and number of the Federal assistance program to which this proposed rule applies is 10.051, as found in the Catalog of Federal domestic Assistance. This proposed action will not have a significant impact specifically on area and community development. Therefore, review as established by OMB circular A-95 was not used to assure that units of local government are informed of this action.

Minimum Sales Price

Section 359(j) of the Agricultural Adjustment Act of 1938, as amended, provides that additional peanuts shall be offered for sale for domestic edible use at prices not less than those required to cover all costs incurred with respect to such peanuts for such items as inspections, warehousing, shrinkage, and other expenses, plus: (1) 100 percent of the loan value of quota peanuts if the additional peanuts are sold and paid for during the harvest season upon delivery by the producer, or (2) 105 percent of the loan value of quota peanuts if the additional peanuts are sold after delivery by the producer but not later than December 31 of the marketing year, or (3) 107 percent of the loan value of quota peanuts if the additional peanuts are sold later than December 31 of the marketing year.

The regulations, as originally codified at 7 CFR 1446.7, provide that a handler shall have the right to purchase additional peanuts for domestic edible use at buying points owned or controlled by such handler at 100 percent (or 105 or 107 percent, when applicable) of the quota loan value of such peanuts plus handling charges. These regulations were intended to establish the priority betwen handlers as to the right to purchase additional peanuts at a particular buying point. Through the 1979 crop year, the quota loan rate established the domestic market price. Thus, this procedure offered an equitable method of selling peanuts under the "immmediate buyback" provision with minimum confusion. In 1980, however, the domestic market price of peanuts increased substantially above the quota support level, thus permitting certain handlers to purchase additional peanuts from the loan program at prices below the market price. It is proposed that these regulations be amended to specify that the price calculated with respect to the purchase of additional peanuts by handlers from the loan program at any time is only a minimum price. Producer associations will therefore be permitted to charge handlers in excess of 100 percent (or 105 or 107 percent, when applicable) of the quota loan rate plus costs for additional peanuts under this proposal.

Deduction for SWPGA

Since 1964, the SWPGA has been authorized by its members to deduct an amount not to exceed 50 cents from the price support loan advance to finance activities outside the price support program. The activities so funded include peanut quality control programs, developing improved disease and drought resistant varieties, improving cultural practices and for water utilization and herbicide use studies. In the Southeast and Virginia-Carolina areas, these activities are carried on by the State peanut grower groups. However, in the Southwest area, the State charters of the State grower group prohibit the group from undertaking these activities. They are therefore carried on by the area association, SWPGA.

The 50 cent assessment has not been increased since 1964, although inflation has considerably decreased the value of the assessment. It is therefore proposed to increase the amount of the deduction to not more than $1.

Assessment of Liquidated Damages

Current regulations provide that liquidated damages shall be assessed against any person who causes ineligible peanuts to be placed in the loan program. The regulations provide for liquidated damages to prevent peanuts containing excess moisture, foreign material, and other contaminants from being placed in the loan program since these peanuts lower market prices for other peanuts in the same storage place. Also, the liquidated damages

were included in the regulations in order to prevent ineligible producers from improperly obtaining price support.

These liquidated damages have been successful in preventing ineligible peanuts from being placed into the loan program. However, in some cases the assessment of liquidated damages has been determined to be too severe. In a number of instances, it was determined after harvest and after a producer had been issued nonrestrictive marketing cards that the producer was out of compliance with acreage limitations by small margins. By that time, however, the producer's peanuts were already pledged as collateral for a loan and disposed of by the producer association. In addition to the marketing penalty, such producers were subjected to excessive liquidated damages in instances where the actual program harm was minimal.

It is proposed to amend the regulations to permit the Executive Vice President, CCC, or his designee, to waive or reduce the assessment of liquidated damages based upon the following factors: (1) The person causing ineligible peanuts to be placed in the loan program made a good faith effort to ensure that ineligible peanuts were not pledged as collateral for a loan; (2) the program damages or potential program damages do not warrant the full or partial assessment of such liquidated damages; (3) the nature and circumstances relating to the violation; (4) the extent of the violation; and (5) any other pertinent information. Amending the regulations in the manner prescribed will permit CCC to reduce or waive the assessment of liquidated damages in certain cases and still maintain adequate controls to prevent misuse of the loan program.

Acreage Certifications

For the 1980 and prior crop years, acreages for all marketing quota crops, including peanuts, were determined by the county ASCS office from actual measurements of the field or from aerial photographs. In addition, producers were required to file a report of crop or land use acreage.

At this time it is contemplated that, beginning with the 1981 crop, in determining whether there has been compliance with acreage allotments reliance will, in general, be placed on reports filed by producers as to crop or land use acreage. To assure compliance with acreage allotments, only a random sample of such certifications will be checked for accuracy by using actual ground measurements or aerial photographs.

Accurate certifications are thus necessary to ensure that all producers comply with acreage allotments. Therefore, it is proposed to amend the regulations to provide that producers will be ineligible for price support if the producer has filed an erroneous report of crop or land use acreage unless: (1) the determined acreage does not differ from the reported acreage by more than the tolerances established by Part 718 of this title, or (2) the county Agricultural Stabilization and Conservation committee determines that the producer acted in good faith in reporting crop or land use acreage.

Proposed Rule

The proposed amendments to 7 CFR Part 1446 are as follows: Section 1446.7 is revised to read as follows:

§ 1446.7 Use of additional peanuts as domestic edible peanuts.

During harvest season, a handler shall have the right to purchase additional peanuts for domestic edible use at buying points owned or controlled by such handler at prices not less than 100 percent of the quota loan value of such peanuts plus handling charges. Such purchase may be made only from the association and only on the date such peanuts were offered by producers to the association for loan.

The handler shall advance to the producer, as an agent for the association and only on the date such peanuts were offered by the producer to the association for loan, price support at the additional loan rate and forward to the association a check payable to CCC for the peanuts in an amount aqual to the quota loan rate as well as any handling charges and any premium specified in advance by the association. The check and applicable MQ–94 will identify the peanuts as additional peanuts that may be used as domestic edible peanuts and must be postmarked not later than the third work day excluding Saturdays, Sundays, and Federal holidays following the day the peanuts were inspected. The association shall credit such receipts to the additional loan pool for such peanuts. Handlers may also purchase additional peanuts from the loan pool for domestic edible use after delivery by producers to the association, under terms and conditions announced by CCC. The minimum price for such purchases shall be not less than carrying charges plus (a) 105 percent of the quota loan value if purchsed not later than December 31 of the marketing year, or (b) 107 percent of the quota loan value if purchased after December 31 of the marketing year.

* * * * *

Section 1446.10 is amended by revising paragraphs (g) and (i) to read as follows:

§ 1446.10 Availability of warehouse storage loans.

* * * * *

(g) *Advance to producer.* For each lot of peanuts received, the association will make a price support advance to the producer in an amount equal to the support value of such peanuts, except that in addition to marketing quota penalties and the deductions specified in § 1446.12, the association will deduct from such advances and pay over to the proper State authorities, any assessments or excise taxes imposed by State law. In addition SWPGA may, upon the prior agreement of the producer, deduct from such advance an amount approved by CCC, not to exceed $1 per net weight ton of peanuts upon which such advance was made, to be used in financing its peanut related activities outside the price support program.

* * * * *

(i) *Ineligible Peanuts.* Any person who causes ineligible peanuts, as defined in § 1446.14, to be placed in the loan program shall pay to CCC, as liquidated damages, the amount by which the average quota or additional loan rate for that type of peanut exceeds the market price for such type, as determined by CCC. Such person shall pay such amount to CCC promptly upon demand. The market price shall be based upon the estimated value for crushing stock.

The Executive Vice President, CCC, or his designee may reduce or waive the liquidated damages provided for in this subsection based upon a consideration of the following factors: (1) Whether the person causing ineligible peanuts to be placed in the loan program made a good faith effort to ensure that ineligible peanuts were not pledged for loan, (2) the degree of damage or potential damage to the price support program; (3) the nature and circumstances of the violation; (4) the extent of the violation; and (5) any other pertinent information.

* * * * *

Section 1446.14 of the regulations is amended by revising subsection (a) to read as follows:

§ 1446.14 Eligible producer.

(a) *Requirements.* An eligible producer is an individual, partnership, association, corporation, estate, trust, or other legal entity, and whenever applicable, a State, political subdivision of a State or any agency thereof, producing peanuts as a landowner, landlord, tenant, or sharecropper on a

farm. No producer on a farm for which the farm operator fails timely to file a report of crop or land use acreage s required by Part 718 of this title shall be eligible for price support at the quota loan rate unless the late-filed report was accepted by the county ASC committee. In addition, no producer shall be eligible for price support at the quota loan rate if the producer has filed an erroneous report of crop or land use acreage unless: (1) the determined acreage does not differ from the reported acreage by more than the tolerance established by Part 718 of this title, or (2) the county ASC committee determines that the producer acted in good faith in reporting crop or land use acreage.

* * * * *

Signed in Washington, D.C. on August 10, 1981.

Everett Rank,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 81-23883 Filed 8-14-81; 8:45 am]

BILLING CODE 3410-05-M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 20

Business Loan Policy; Small Business Lending Companies

AGENCY: Small Business Administration.

ACTION: Proposed rule.

SUMMARY: These proposed amendments to Part 120 would repeal the authority of the Small Business Administration to approve as participating lenders additional small business lending companies (known as "Subsection (b) Lenders"), since SBA does not have adequate resources to service and effectively supervise additional lenders. The regulation would also be amended to require that all Subsection (b) Lenders maintain unimpaired capital and surplus of not less than $2,000,000, or the aggregate of the lender's share of all outstanding loans, whichever is greater.

DATE: Comments must be received on or before October 16, 1981.

ADDRESS: Written comments, in duplicate, are to be transmitted to Director, Office of Lender Relations and Certification, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: Questions regarding these proposed rules may be directed to Robert C. Hull, Chief, Non-Bank Lender Section, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416 (202) 653-7894.

SUPPLEMENTARY INFORMATION: Section 7(a)(4) of the Small Business Act, as amended (15 U.S.C. 636(a)(4)), authorizes the Small Business Administration to participate, in its loan making activities, with banks, "or other lending institution." SBA, in its discretion, has interpreted the quoted phrase to include savings and loan associations and other non-bank lenders provided they had met certain prescribed standards. Under § 120.4(b) of its regulations (13 CFR 120.4(b)), SBA had authorized as participating lenders nonbank small business lending companies also known as "Subsection (b) Lenders". The Agency now believes that it should no longer authorize the participation of additional "Subsection (b) Lenders" since SBA does not have adequate resources to service and supervise effectively additional "Subsection (b) Lenders". The Agency also is raising the financial requirements with respect to the maintenance of capital of lenders which are not banks or savings and loan associations.

The Agency is proposing to amend its regulations to reflect these decisions. The Agency proposes to repeal § 120.4(b) of its regulations, relating to special eligibility requirements for "Subsection (b) Lenders" and, in its place to provide that existing "Subsection (b) Lenders" would continue to operate subject to the rules and regulations of SBA. The proposed amendment would also delete § 120.4(c)(2) relating to applications by prospective "Subsection (b) Lenders", since after the effective date of these proposed changes, SBA would no longer accept such applications.

SBA is proposing to amend § 120.4 (b)(2) to require "Subsection (b) Lenders" to maintain unimpaired capital and surplus of not less than $2,000,000 (instead of the present requirement of $500,000) or the aggregate of the lender's share of all outstanding loans, (instead of the present requirement of 10 percent of the aggregate), whichever is greater. SBA is proposing, effective 12 months from promulgation of this rule in final form, these changes to increase the capital adequacy and strength of "Subsection (b) Lenders" with whom it will continue to participate. Until the effective date of these proposed changes, SBA will continue to accept applications from prospective "Subsection (b) Lenders". Such applicants, however, will be required to demonstrate their ability to comply with the increased capital requirements within one year from the effective date of this rule.

For the purpose of Executive Order 12291, effective February 17, 1981, SBA hereby certifies that this proposed rule, if promulgated in final form, would not constitute a major rule as defined by section 1(b) of the Executive Order.

In this regard, this rule if promulgated in final form, will not have an annual effect on the economy of $100 million or more; and it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions, or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

In addition SBA hereby certifies pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605 (b), that this proposed rule, if promulgated in final form, will not have a significant impact upon a substantial number of small entities. In this regard, at the present time, 7 non-bank "Subsection (b) Lenders" have been approved by the SBA, and are authorized to make loans. Ten Subsection (b) applications are presently in a pending status. While it is unknown presently how many additional applications from Subsection (b) applicants will be received during the period before applications are no longer accepted if this proposal becomes final, it is believed that the total number of "Subsection (b) Lenders" which will ultimately be approved by SBA when coupled with the 11,000 banks and approximately 230 other non-bank lenders presently making SBA guaranteed loans will be more than sufficient to continue to serve the small business community's financing needs.

At the same time, by increasing the capital requirements of Subsection (b) Lenders this rule will assure that those Lenders who are approved by SBA will have adequate financial capacity to make and service loans. It will thus be a deterrent to marginal prospective lenders which should help to reduce personnel requirements in carrying out SBA's regulatory oversight responsibilities, and inure to the benefit of the small business community.

Finally, SBA is certain that, in view of limited program levels, this regulation if it is promulgated in final form will have no impact upon:

(1) the amount of guaranteed lending in which SBA participates each year,

(2) the number and type of small businesses assisted each fiscal year, and

(3) the geographical distribution of the guaranteed lending.

In this regard, we view this proposed regulation as a necessary technical adjustment having no adverse impact on the small business community.

Accordingly, pursuant to the authority contained in Section 5(b)(6) of the Small Business Act (15 U.S.C. 634(b)(6)), Part 120, Chapter 1, Title 13 of the Code of Federal Regulations, would be amended as follows:

PART 120—BUSINESS LOAN POLICY

1. Section 120.4(b) would be revised to read as follows:

§ 120.4 Eligible loan participants.

* * * * *

(b) *Small Business Lending Companies*—Lending institutions which have qualified as "Subsection (b) Lenders" (Small Business Lending Companies) may continue as loan participants if in addition to the requirements set forth in paragraphs (a) (1), (2) and (3) of this section, they also meet each of the following requirements:

(1) *Business Purpose.* Be a corporation (profit or non-profit) engaged solely in the making of loans in participation with SBA; and shall not be engaged in any other business or activity except as hereinafter authorized.

(2) *Subject to SBA Supervision and Examination.* Be subject to supervision and examination by SBA and to conduct their business operations in accordance with such regulations as may be promulgated by SBA.

* * * * *

2. Section 120.4(c)(2) would be removed.

3. Section 120.5(b)(2) would be revised to read as follows:

§ 120.5 Operations of eligible participants.

* * * * *

(b) * * *

(2) *Maintainance of Capitalization.* Maintain at all times an unimpaired combined paid-in capital and paid-in surplus, on or after 12 months from promulgation of this rule, in an amount not less than $2,000,000, or the aggregate of such company's share of all loans outstanding, whichever shall be greater.

* * * * *

(Catalog of Federal Domestic Assistance Program No. 59.012, Small Business Loans)

Dated: July 31, 1981.

Michael Cardenas,

Administrator.

[FR Doc. 81-23880 Filed 8-14-81; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 22083]

Airworthiness Directives; Short Brothers Limited Model SD3-30 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rule making.

SUMMARY: This notice proposes to adopt an airworthiness directive that would require a repetitive inspection, and modifications as necessary, for cracks in the bolt holes of the stub wing spars, and replacement of the laminated aluminum shims at the spar bolted joints, on certain Short Brothers Limited Model SD3-30 series airplanes. The AD is necessary to prevent cracks in the stub wing spars and replacement of failed shims which, if undetected and uncorrected, could result in loss of the airplane.

DATE: Comments must be received on or before October 16, 1981.

ADDRESSES: Comments on the proposal may be mailed in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-24) Docket No. 22083, 800 Independence Avenue, S.W., Washington, D.C. 20591, or delivered in duplicate to: Room 916, 800 Independence Avenue, S.W., Washington, D.C. 20591. Comments delivered must be marked: Docket No. 22083. Comments may be inspected at Room 916 between 8:30 a.m. and 5:00 p.m.

The applicable service bulletins may be obtained from: Short Brothers Limited, P.O. Box 241, Airport Road, Belfast, BT 9DZ, Northern Ireland, Attention: Product Support Manager. A copy of each service bulletin is contained in the Rules Docket, Room 916, 800 Independence Avenue, S.W., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT: C. Christie, Chief, Aircraft Certification Staff, AEU-100, Europe, Africa, and Middle East Office, FAA, c/o American Embassy, Brussels, Belgium, Telephone: 513.38.30, or C. Chapman, Chief, Technical Standards Branch, AWS-110, FAA, 800 Independence Avenue, S.W., Washington, D.C. 20591, Telephone: 202-426-8192.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of the proposed AD, will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped post card on which the following statement is made: "Comments to Docket Number 22083." The post card will be date/time stamped and returned to the commenter.

The FAA has determined that loss of torque on the bolted structural joints, delamination of the laminated aluminum shims, and cracks can occur in the bolt holes at the stub wing spar bolted joints which could result in structural failures on certain Short Brothers Limited Model SD3-30 series airplanes, and possible loss of the airplane. Since this condition is likely to exist or develop on other airplanes of the same type design, the proposed AD would require an initial inspection of the stub wing spar bolted joints, replacement of the laminated aluminum shims, repetitive inspections of these joints until modified in accordance with an approved modification, and replacement of the laminated shims in the stub wing structural bolted joints with a single thickness shim on certain Short Brothers Limited Model SD3-30 series airplanes.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) by adding the following new airworthiness directive:

Short Brothers Limited. Applies to Model SD3-30 series airplanes, serial numbers SH3001 through SH3024 inclusive, certificated in all categories.

Compliance required prior to the accumulation of 12,000 landings, or 300 landings after the effective date of this AD, whichever occurs later, and thereafter at intervals not to exceed 3,000 landings.

To prevent fatigue failures of the stub wing spar and stub wing bolted joints, accomplish the following:

(a) Inspect the bolt holes in the stub wing spars for cracks using the eddy current method described in Short Brothers "Non-destructive Test Specification," NDTI RD 1, dated October 1979, and in accordance with "ACCOMPLISHMENT INSTRUCTIONS," paragraph 2, of Short Brothers Limited Service Bulletin SD-53-34, Revision 2, dated December 12, 1979, or an FAA-approved equivalent, and for airplane serial numbers SH3008 through SH3013 inclusive, replace the laminated aluminum shims in the stub wing bolted joints with single thickness shims in accordance with Short Brothers Limited Service Bulletin SD3-53-21, Revision 1, dated September 5, 1979, or an FAA-approved equivalent.

(b) If as a result of the inspection in paragraph (a) of this AD, no cracks are found, reassemble the stub wing in accordance with "ACCOMPLISHMENT INSTRUCTIONS," paragraphs 2A.15 and 2A.11(b) for the front spar frame, and paragraphs 2A.15 and 2A.12(b) for the rear spar frame, of Short Brothers Limited Service Bulletin SD3-53-34, Revision 2, dated December 12, 1979, or an FAA-approved equivalent.

(c) If as a result of the inspection required in paragraph (a) of this AD, cracks are found—

(1) Before further flight, except as provided in paragraph (f) of this AD, install Short Brothers Limited Service Bulletin SD3-30 Modifications 5514, 5600 and 5790, in accordance with Short Brothers Limited Service Bulletin SD3-53-39, Revision 1, dated January 14, 1980, or an FAA-approved equivalent;

(2) Repair any bolt holes in which cracks are found and fit oversize bolts in accordance with paragraph 2A.11 for the front spar frame, and paragraph 2A.12 for the rear spar frame, of Short Brothers Limited Service Bulletin SD3-53-34, Revision 2, dated December 12, 1979, or an FAA-approved equivalent; and

(3) Reassemble the stub wing in accordance with "ACCOMPLISHMENT INSTRUCTIONS," paragraphs 2A. and 29 through 47, of Short Brothers Limited Service Bulletin SD3-53-39, Revision 1, dated January 14, 1980, or an FAA-approved equivalent.

(d) If cracks in the stub wing spar bolt holes cannot be removed by the procedure specified in paragraph (c)(2) of this AD, report those findings to the Chief, Aircraft Certification Staff, Europe, Africa, and Middle East Office, AEU-100, FAA, c/o American Embassy, Brussels, Belgium. (Reporting approved by the Office of Management and Budget under OMB No. 04-R0174).

(e) Upon incorporation of Short Brothers Limited Service Bulletin SD3-53-39, Revision 1, dated January 14, 1980, the repetitive inspection required by this AD may be discontinued.

(f) In accordance with FAR §§ 21.197 and 21.199, the airplane may be flown to a base where the inspections, modifications, and repairs by this AD may be accomplished.

(g) If an equivalent means of compliance is used in complying with any paragraph of this AD, that equivalent means must be approved by the Chief, Aircraft Certification Staff, Europe, Africa, and Middle East Office, FAA, c/o American Embassy, Brussels, Belgium.

(h) Alternative inspections, modifications or repairs which provide an equivalent level of safety or an adjustment of the inspection interval to permit compliance at an established inspection period for an operator may be approved by the Chief, Aircraft Certification Staff, AEU-100, Europe, Africa, and Middle East Office, FAA, c/o American Embassy, Brussels, Belgium, provided the request is made through an FAA Aviation Safety Inspector and contains substantiating data to justify the equivalence or inspection interval adjustment for that operator.

(i) For the purpose of this AD, when conclusive records are not available to show the total number of landings accumulated by a particular part (or assembly), the number of landings may be computed by dividing the airplane time-in-service since the part (or assembly) was installed in the airplane by the operator's fleet average time per flight for his Model SD3-30 series airplanes.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.85)

Note.—The FAA has determined that this proposed regulation involves a regulation which is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979) and will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act since it involves inspections and repairs on only a few aircraft owned by small entities. A draft evaluation has been prepared for this proposed regulation and has been placed in the docket. A copy of it may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Issued in Washington, D.C., on August 6, 1981.

M. C. Beard,

Director of Airworthiness.

[FR Doc. 81-23887 Filed 8-14-81; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Ch. VII

Public Hearing and Public Comment Period on the Resubmitted Virginia Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Proposed Rule: Notice of Receipt of Permanent Program Resubmission; Schedule for Public Hearing and Public Comment Period.

SUMMARY: OSM is announcing procedures for the public comment period and hearing on the substantive adequacy of those portions of the proposed Virginia regulatory program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA) which have been resubmitted by the state. The resubmission includes those portions of the proposed regulatory program which were disapproved by the Secretary of the Interior in his initial decision on October 22, 1980 (45 FR 69977–70000). However, in this resubmission Virginia has also proposed amendments and/or submitted additional information relating to previously approved portions of its program. Therefore, the Secretary is also soliciting public comments concerning the effect of these program changes on those portions of the Virginia program which were approved on October 22, 1981.

This notice sets forth the times and locations that the Virginia program is available for public inspection; the date when and location where OSM will hold a public hearing or the resubmission; the comment period during which interested persons may submit written comments and data on the proposed program and other information relevant to public participation during the comment period and public hearing.

DATES: A public hearing to review the substance of the portions of the Virginia program not previously approved by the Secretary of the Interior will be held at 5:30 p.m. on September 3, 1981 at the address listed under "ADDRESSES."

Comments from members of the public must be received on or before the close of business on September 4, 1981 in order to be considered in the Secretary's decision on those elements of the proposed Virginia program which were not approved in the initial decision on the proposed program.

ADDRESSES: The public hearing will be held at Clinch Valley College, Science Building, Room S-100, Wise, Virginia. Written comments should be sent to: Office of Surface Mining, Attn: Virginia Administrative Record, 603 Morris Street, Charleston, WV 25301.

Copies of the full text of the proposed program, a listing of scheduled public meetings and copies of all written comments are available for review and copying at the OSM Region I Office and the Office of the State Regulatory Authority listed below, Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding holidays.

Office of Surface Mining, Charleston Regional Office, 603 Morris Street,